

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

PENDLETON HEIGHTS GAY-STRAIGHT  
ALLIANCE,

Plaintiff,  
CIVIL ACTION NO.  
1:21-cv-02480-JRS-TAB  
vs.

SOUTH MADISON COMMUNITY  
SCHOOL CORPORATION, et al.,

Defendants.

The deposition upon oral examination of  
**REECE AXEL-ADAMS**, a witness produced and sworn before  
me, Paula A. Morgan, Notary Public in and for the  
County of Hamilton, State of Indiana, taken on the  
15th day of November, 2021, in the offices of the  
South Madison Community School Corporation, 203 South  
Heritage Way, Pendleton, Madison County, Indiana,  
pursuant to the Federal Rules of Civil Procedure.  
This deposition was taken on behalf of the Defendants  
in the above-captioned matter.

ASSOCIATED REPORTING, INC.  
251 East Ohio Street, Suite 940  
Indianapolis, Indiana 46204  
(317) 631-0940  
[www.associated-reporting.com](http://www.associated-reporting.com)

## APPEARANCES

FOR THE PLAINTIFF:

Kenneth J. Falk  
Stevie J. Pactor  
ACLU OF INDIANA  
1031 East Washington Street  
Indianapolis, Indiana 46202

FOR THE DEFENDANTS:

Liberty L. Roberts  
CHURCH CHURCH HITTLE & ANTRIM  
Two North Ninth Street  
Noblesville, Indiana 46060

ALSO PRESENT:

Dr. Mark Hall - South Madison Community School Corporation

## INDEX OF EXAMINATION

## EXAMINATION (By Ms. Roberts)

Page  
3

## EXHIBIT INDEX

No.                  Description  
Exhibit 10      Declaration of Reece Axel-Adams

Page  
4

Previously marked:

No. Description  
Exhibit 5 Pendleton Heights High School  
Student Handbook 2021-2022

Page  
32

Exhibit 9 9/7/21-9/16/21 e-mail chain

(Deposition Exhibit 10 was marked for identification.)

3                   R E E C E A X E L - A D A M S, the witness  
4 herein, having been first duly sworn to tell the  
5 truth, the whole truth, and nothing but the truth,  
6 was examined and testified as follows:

## 7 EXAMINATION

8 QUESTIONS BY MS. ROBERTS:

9 Q Please state your name.

10 A Reece Axel-Adams.

11 Q Reece, have you given a deposition before?

12 | A No.

13 Q I'm sure your attorney's talked to you about this.

14 It is basically a question and answer system. It  
15 seems to me you talk a little soft, so there might  
16 times where I have to ask you to speak up a little  
17 bit so the court reporter can hear you.

18 A That's fine.

19 Q That's our only goal, is she hears everything I say,  
20 everything you say, and types it up. Okay?

21 A All right.

22 Q So, to accomplish that, I'd ask that you wait until I  
23 ask my question, so you don't speak over top of me,  
24 because she cannot write down what two of us say at  
25 one time.

1 A All right.

2 Q Okay?

3 A Yes.

4 Q If at any point you need a break, you're welcome to  
5 take a break. I just ask that you answer the  
6 question that's pending before you before your break  
7 starts. All right?

8 A Okay.

9 Q I do not expect your deposition to take very long.

10 A All right.

11 Q If at any point in your deposition you do not  
12 understand what I'm asking you, just tell me. I'll  
13 ask it in another way.

14 A Okay.

15 Q All right? You have in front of you a document  
16 that's marked Exhibit 10?

17 A Yes.

18 Q Is this a declaration which you signed?

19 A Yes.

20 Q Okay.

21 A Yes.

22 Q You're here because you've put your signature on this  
23 declaration. The Plaintiff in the case is Pendleton  
24 Heights Gay-Straight Alliance, an unincorporated  
25 association. Can you tell me what your affiliation

1           is with the Plaintiff in this case?

2   A   I lead it.

3   Q   When you say you "lead it," does that mean you hold a  
4       title in the organization or --

5   A   Unofficial title, yes.

6   Q   And what's your unofficial title? Just leader?

7   A   Yeah.

8   Q   You don't have a structure of president, vice  
9       president?

10   A   No.

11   Q   Okay. How long have you been the leader?

12           And let me just, for shortened terminology here,  
13       if I call it the "GSA," is that --

14   A   Yes.

15   Q   -- something you understand to be the Plaintiff in  
16       this case?

17   A   Uh-huh.

18   Q   How long have you been the unofficial leader of the  
19       GSA?

20   A   Since the beginning of the school year.

21   Q   So is that August of 2021?

22   A   Yes.

23   Q   And how did you first find out about the GSA?

24   A   A friend.

25   Q   A school friend?

1 A Yes.

2 Q Was that friend already a member of the GSA?

3 A They were a member of one of the previous ones, yes.

4 Q Tell me what you mean when you say "one of the  
5 previous ones."

6 A I guess not this one. We've had several incarnations  
7 of it over the years, under different leadership.

8 Q When you say "several incarnations," meaning that  
9 there's been a different sponsor or a different focus  
10 of the group or different --

11 A Sponsor.

12 Q Okay. So, as you speak of the GSA, has it always had  
13 the same purpose?

14 A I don't know.

15 Q Okay. Do you have any knowledge as to what actually  
16 took place within the organization of the GSA before  
17 August of 2021?

18 A No.

19 Q If you turn to page 2 of your affidavit, in paragraph  
20 9 it says, "some of the groups listed" -- listed in  
21 the Handbook -- "are not directly related to any  
22 courses at the school and do not, to the best of my  
23 knowledge, lead to academic credit for those  
24 participating. These include Best Buddies, Mat  
25 Maids, Outdoor Adventure Club, and SADD, ('Students

1           Against Destructive Decisions'). Those groups meet  
2           at the school during non-instructional times."

3           I want to ask you a few questions about what you  
4           have in that paragraph. Okay?

5     A    Uh-huh.

6     Q    Are you a member of Best Buddies?

7     A    No.

8     Q    Have you ever been?

9     A    Of Best Buddies?

10    Q    Yes.

11    A    No.

12    Q    Have you ever participated in any events that were  
13       put on by Best Buddies?

14    A    Yes.

15    Q    What have you participated in?

16    A    It was a couple years ago. There was a charity walk.

17    Q    Do you remember what the walk was called?

18    A    No.

19    Q    What was the extent of your involvement?

20    A    Being there. And I think it was -- I'm not sure -- I  
21       don't remember how it was set up, but it was a walk  
22       to raise money.

23    Q    Okay. So you registered, paid a fee, and then  
24       walked?

25    A    There was no fee paid.

1 Q Okay. So you registered, you showed up, and you  
2 walked?

3 A Yes.

4 Q Okay. You weren't involved in anything else related  
5 to that charity walk?

6 A No.

7 Q Have you ever participated in any other activity put  
8 on by Best Buddies?

9 A I'm sure I have, but I couldn't tell you off the top  
10 of my head.

11 Q Do you know what activities are actually done or  
12 what's actually put on by Best Buddies?

13 A Not officially, no. But I know that they take field  
14 trips with the group. That's one of the only things  
15 I know about it.

16 Q Are you considered a general education student or an  
17 essential skills student? Do those terms mean  
18 anything to you?

19 A They -- I mean, context clues -- no, they don't mean  
20 anything to me.

21 Q Okay. The term "essential skills student" is not a  
22 term you're familiar with?

23 A I would assume that has to do with construction  
24 trade.

25 Q Okay. Are you familiar with the term "special

1                   education"?

2     A     Yes.

3     Q     Okay. Do you participate in the special education  
4                   program?

5     A     No.

6     Q     So, then, are you on track for a Core 40 diploma?

7     A     Yes.

8     Q     And have you ever investigated or looked into how  
9                   Best Buddies is related to any curriculum that's  
10                  taught at the high school?

11    A     No.

12    Q     Are you familiar with the cadet program that's a  
13                  course at Pendleton Heights High School?

14    A     Not under that name, no.

15    Q     Are you familiar with any program where students take  
16                  an hour out of their schedule and essentially student  
17                  teach?

18    A     Not that I'm familiar with, no.

19    Q     And what about the Outdoor Adventure Club? Are you a  
20                  member of that club?

21    A     No.

22    Q     Have you ever participated in that club?

23    A     I have not.

24    Q     Do you know what that club does?

25    A     From what I have heard, they do outdoor adventure

1           stuff, paint-ballling, rock-climbing, that sort of  
2           thing.

3   Q   When you say from what you've heard, you've heard  
4           that from whom?

5   A   Announcements announcing, like, their trips.

6   Q   How many announcements have you heard for the Outdoor  
7           Adventure Club?

8   A   Ballpark of maybe a couple dozen.

9   Q   Over what time period?

10   A   This year.

11   Q   The --

12   A   This school year.

13   Q   So the school year that would be the 2021 through  
14           2022 school year?

15   A   Uh-huh.

16                 MR. FALK: You've got to say "yes" or "no."

17   A   Yes.

18   Q   And have you ever looked into how those activities  
19           done by the Outdoor Adventure Club relate to any  
20           particular curriculum that's taught at Pendleton  
21           Heights?

22   A   No.

23   Q   You mentioned the Students Against Destructive  
24           Decisions. If I refer to that as "SADD," do you  
25           understand that's the same thing?

1 A Yes.

2 Q Are you a member of SADD?

3 A No.

4 Q Have you ever participated in that club?

5 A Aside from, in elementary school, the SADD Days,  
6 where SADD would come over to the school and sort of  
7 put on a presentation, no.

8 Q You said SADD would come over with the high school  
9 students, who went into the elementary?

10 A If my memory serves correctly, yes.

11 Q Since you've been in high school, have you been  
12 involved in any event that's been put on by SADD?

13 A Not to my knowledge, no.

14 Q Do you know what activities SADD is engaged in?

15 A No, aside from educating people about how to make  
16 smart choices.

17 Q In paragraph 11 of your affidavit you say, "I also  
18 believe that the groups listed in the Handbook may  
19 post information about their meetings on bulletin  
20 boards at the school. They may also be mentioned on  
21 the campus radio station that plays daily  
22 announcements through the school. In fact, on  
23 October 1, 2021, I heard an announcement for Outdoor  
24 Adventure Club during daily announcements."

25 I'm going to ask you some questions about those

1           several statements in there.

2   A    Okay.

3   Q    Your first sentence refers to bulletin boards.  Can  
4       you tell me where those bulletin boards are?

5   A    We have three in our three main stairwells.  One in  
6       each stairwell.

7   Q    All right.  And have you seen anything from Best  
8       Buddies advertised on there?

9   A    Not in this current school year, no.

10   Q    But have you seen something previously?

11   A    I believe so, yes.

12   Q    Do you have a recollection of what was being  
13       advertised for Best Buddies?

14   A    No.

15   Q    Do you have any idea when you would have seen that?

16   A    Sometime last school year.

17   Q    And did you take a photograph of it?

18   A    No.

19   Q    Do you have a copy of it?

20   A    No.

21   Q    For the Outdoor Adventure Club, do you believe you've  
22       seen anything from them posted on the billboards?

23   A    Yes.

24   Q    Or, I'm sorry, bulletin boards.

25   A    Yes.

1 Q What have you seen by them?

2 A It is announcing their first meeting.

3 Q Was that this school year?

4 A Yes.

5 Q Have you previously, or in any prior school years,  
6 seen anything listed by the Outdoor Adventure Club?

7 A I believe so, yes.

8 Q Do you have any idea what you saw in prior years?

9 A Similar to what I saw this year, announcing meetings,  
10 you know, activities they're going to do.

11 Q Did you take a photograph of any of those  
12 announcements?

13 A I did not.

14 Q Do you have a copy of any of those?

15 A Not on me, no.

16 Q You say not on you. Do you have a copy of them  
17 somewhere else?

18 A I'm able to get one easily. I know the teacher who  
19 runs it.

20 Q So the sponsor, then, you believe would have a copy  
21 of the advertisements --

22 A Yes.

23 Q -- that have been placed on the bulletin board?

24 A Yes.

25 Q What about SADD? Have you seen SADD do any

1           advertisements on those bulletin boards?

2   A   Not that I can remember, no.

3   Q   Have you seen -- and I'll come back to more in  
4       paragraph 11, but in paragraph 12 you refer to the  
5       Fellowship of Christian Athletes. Have you seen that  
6       group have anything on those bulletin boards?

7   A   No.

8   Q   On No. 11, the next sentence refers to the campus  
9       radio station that plays daily announcements. Can  
10      you tell me what the daily announcements are?

11   A   They play at the beginning of 7th period, which is  
12      our last period of the school day. And they  
13      contain -- if it's a sports game, it will contain the  
14      scores of the sports game the previous night.

15           Sometimes -- and then it will also contain, like,  
16      things that are happening in the community, as well  
17      as around the school. And that's when they do  
18      announcements for clubs.

19   Q   How long are the announcements, generally?

20   A   Two to three minutes.

21   Q   And do you know who has final say in what actually  
22      goes into the announcements?

23   A   No.

24   Q   And do you have any knowledge as to how many  
25      announcements are submitted for each day versus how

1           many are actually aired?

2   A   No.

3   Q   And that last sentence in paragraph 11, it says, "On  
4       October 1, 2021, I heard an announcement for Outdoor  
5       Adventure Club during daily announcements." Do you  
6       have a copy of that?

7   A   No, but it can be found on our school's website.

8   Q   Are all the announcements housed on the school's  
9       website for the school year?

10   A   Yes.

11   Q   So if I wanted to go back and see what was said on  
12       the announcements on the very first day, I could go  
13       look at that?

14   A   I believe so, yes.

15   Q   And since this lawsuit has started, have you done  
16       that, to go back to see what clubs or organizations  
17       have been announced through the school announcements?

18   A   I've gone through a couple days of announcements.

19   Q   What groups do you believe have been announced or  
20       listed in the announcements who are not  
21       Corporation-sponsored clubs?

22   A   None that I can recall.

23   Q   On No. 16, paragraph 16 of your affidavit, it says,  
24       "This year I spoke with the Principal of Pendleton  
25       Heights High School and received permission to

1 restart the Pendleton Heights GSA."

2 Can you tell me when that conversation took  
3 place?

4 A Towards the beginning of the school year, August or  
5 September.

6 Q Who initiated that conversation?

7 A Myself.

8 Q When you asked to meet with the principal, was she  
9 willing to do so?

10 A Yes.

11 Q And did you have more than one conversation with her  
12 about restarting the GSA?

13 A No.

14 Q In the one conversation that you had, who was  
15 present?

16 A Myself and the principal.

17 Q And what do you recall of that conversation?

18 A Not much.

19 Q Was that conversation recorded?

20 A Not to my knowledge.

21 Q When you say you were asking to restart the GSA, what  
22 do you mean by using the word "restart"?

23 A Due to COVID last year and the year before, it had  
24 fizzled out. And there were some staff problems. We  
25 lost a sponsor. And so there had been no GSA, to my

1 knowledge, since at least last year.

2 Q Who's the current sponsor of GSA?

3 A It's an art teacher. Her name is Mrs. Akers.

4 Q Who was the prior sponsor?

5 A I would not know that information.

6 Q Okay. Let me back up.

7 You're a senior this year, right?

8 A Uh-huh.

9 Q Okay. Was there a sponsor during your junior year,  
10 to your knowledge?

11 A I don't know.

12 Q You mentioned that you first learned about the GSA  
13 from a friend who was a member of the GSA. Did that  
14 friend tell you whether or not the GSA had existed  
15 during your junior year?

16 A They did not.

17 Q Have you ever had that conversation?

18 A No.

19 Q Since restarting the GSA, can you tell me what you've  
20 done?

21 A We've had about a half a dozen meetings. In those  
22 meetings we usually just hang out, talk, sometimes  
23 play games.

24 Q Where have those meetings taken place?

25 A In our sponsor's classroom.

1 Q At the high school?

2 A Yes.

3 Q When do they take place?

4 A Whenever we can get around to them, but scheduled  
5 every other Wednesday.

6 Q So every other Wednesday is your normal schedule, but  
7 some of those might be canceled?

8 A Yeah.

9 Q And if you can't do it on your normal day, your every  
10 other Wednesday, do you make up that meeting at  
11 another time?

12 A All depends on what's going on.

13 Q And who's in charge of creating that schedule?

14 A Myself and then -- I mean, it's a general --  
15 everybody sort of has input into it.

16 Q Do you sort of collectively, as a group, determine  
17 when you're available and when you have other things  
18 going on that you can or cannot meet?

19 A Yeah, and then with our sponsor as well.

20 Q Because a sponsor needs to be present also?

21 A Yes.

22 Q Okay. How many members of the GSA attend on a  
23 regular basis to participate in those sorts of  
24 conversations?

25 A Half a dozen to a dozen.

1 Q And I know this may sound like the same question, but  
2 I want to make sure I'm getting all the information  
3 right.

4 So on a regular basis you have six to twelve  
5 people at a meeting. How many people total do you  
6 believe are members of the GSA?

7 A I don't know the extent of that. We have some people  
8 who say they are, but I have not yet seen them at a  
9 meeting.

10 Q How do they say that they're members of the GSA?

11 A We have a Google Classroom classroom in which we post  
12 announcements and whatnot.

13 Q What does it take for you to set up a Google  
14 Classroom?

15 A A Google account.

16 Q You can do that without the school's permission?

17 A Uh-huh.

18 MR. FALK: Yes?

19 A Yes. Sorry.

20 Q How do other people know to go to the Google  
21 Classroom? Or how can they get into it?

22 A Word of mouth. And then there's an access code that  
23 we use.

24 Q So somebody finds out that the Google Classroom is  
25 out there, and they can go to any member of the GSA

1           and say, hey, I'd like to be a part of this?

2   A   Yes.

3   Q   And then they're provided with the access code?

4   A   Yes.

5   Q   And so how is it the people find out that the Google  
6       Classroom even exists?

7   A   The first time was a mass e-mail done by one of our  
8       members e-mailing a bunch of kids who they thought  
9       would be interested. And now we make the information  
10      available at meetings.

11   Q   And who sent that mass e-mail?

12   A   Her name is Tai Wills.

13   Q   Was that during this school year, the 2021 through  
14      2022 school year?

15   A   It was, yes.

16   Q   Does she do that through her school account?

17   A   I believe so, yes.

18   Q   And did she e-mail other students through their  
19      school accounts?

20   A   Yes. We have a closed circuit.

21   Q   Tell me what you mean by that.

22   A   We cannot e-mail outside of our domain.

23   Q   So if you're going to e-mail from your school e-mail  
24      address, it has to go to another school e-mail  
25      address?

1 A Yes.

2 Q And based upon that mass e-mail -- I'm sorry, did you  
3 say Tai Wills?

4 A Tai Wills.

5 Q Tai Wills?

6 A Yes.

7 Q Based upon that mass e-mail that Tai Wills sent out,  
8 did you have people attend your meeting?

9 A I cannot attest to how that affected our meeting  
10 turnout.

11 Q Did you have any -- well, let me ask this.

12 Did Tai's first e-mail -- or did Tai's e-mail go  
13 out before GSA's first club meeting?

14 A I believe so, yes.

15 Q Okay. And when people came into the club meeting,  
16 did you ask any of them, "How did you find out about  
17 us?"

18 A No.

19 Q Other than word of mouth, how does the GSA advertise?

20 A Social media.

21 Q How do they advertise on social media?

22 A Usually kids will put things on Instagram.

23 Q And then are they using a hashtag to have people --

24 A No, no hashtag.

25 Q Okay. How are they using Instagram? Are they saying

1           we have a meeting coming up?

2   A   Yes. People put them on their stories, which are  
3           temporary posts that delete after 24 hours.

4   Q   So individuals are posting that information. Does  
5           GSA have its own social media account?

6   A   It does not.

7   Q   Okay. Any other ways that GSA is advertising for its  
8           meetings or any of its events?

9   A   No.

10   Q   Is the GSA in the process of organizing any events?

11   A   No.

12   Q   As the leader, the unofficial leader of the group for  
13           this school year, have you created goals or  
14           objectives for the GSA?

15   A   Not any that we have publicly stated.

16   Q   Internally within your group have you created any  
17           goals or objectives?

18   A   Make a safe environment, a welcoming environment for  
19           all.

20   Q   And have you created sort of next steps to be able to  
21           reach that objective?

22   A   Not yet.

23   Q   When you met with the principal about restarting the  
24           GSA, did she tell you you could do that?

25   A   She did.

1 Q Did she tell you what it took to do that?

2 A We had to fill out a space request form and then find  
3 a sponsor.

4 Q Okay. And at that time were you asking for anything  
5 more than being able to meet at the school?

6 A I was asking to be able to also advertise.

7 Q You asked for that in the same meeting?

8 A Yes.

9 Q And what was the response to that request?

10 A No.

11 Q Were you told no because the GSA was not an official  
12 club of the school?

13 A Yes.

14 Q And did you ask the principal what that meant?

15 A No.

16 Q Have you ever asked to be listed in the Pendleton  
17 Heights Handbook?

18 A We have not.

19 Q Paragraph 20 of your affidavit says, "The Principal  
20 has indicated that all these opportunities are being  
21 denied to PHGSA because the school needs to remain  
22 'neutral' on gay, lesbian, transgender, and related  
23 issues."

24 Do you believe that's a statement the principal  
25 made to you?

1 A Yes.

2 Q Okay. When do you believe she said that?

3 A She has said it multiple times.

4 Q So I note that you indicate you had just one meeting  
5 with her about the GSA. So when would those other  
6 statements have been made?

7 A Last year we met to discuss a different issue  
8 involving LGBTQ issues.

9 And this year we met another time in the same --  
10 under different circumstances but for, again, LGBTQ  
11 issues.

12 Q Okay. So you say there was a meeting this year  
13 that's separate from that one meeting you've already  
14 talked about where you asked to restart the GSA?

15 A Uh-huh.

16 MR. FALK: Yes?

17 A Yes. Sorry.

18 Q Tell me about that meeting.

19 A It was to do with our school's use of non-binary and  
20 transgender students' preferred names and requiring  
21 parental permission before they would use a preferred  
22 name.

23 Q Who all was present at that meeting?

24 A Myself, my mother, and the principal.

25 Q Do you know when that took place?

1 A September or early -- beginning of the school year.

2 I could not give you a time.

3 Q And was the GSA discussed during that meeting?

4 A I do not believe so.

5 Q So the statement that's made in paragraph 20 of your  
6 affidavit, is that statement that you're referring to  
7 there made in relation to the discussion of the  
8 non-binary and transgender name issue?

9 A No. It was made in relation to the first meeting  
10 that I mentioned, as well as in several conversations  
11 and whatnot with her, as well as other  
12 administrators.

13 Q In your memory, did the principal explain to you that  
14 "neutral" meant it had to apply to all groups, not  
15 just the GSA?

16 A She did not, but our superintendent did.

17 Q Tell me what you mean by that.

18 A So we had a meeting -- or I had a meeting with the  
19 superintendent, as well as our principal, again  
20 referring to the first meeting. And that is where  
21 the neutral stance was explained to me.

22 Q And what was explained?

23 A That -- in my memory, that we must remain neutral  
24 because we're a public school, and we cannot be seen  
25 as showing favor to one side or another.

1 Q Was that for all groups that were  
2 nonCorporation-sponsored?

3 A This was not -- we were not discussing about the GSA  
4 at that time, no.

5 Q All right. So that statement about being neutral  
6 came up in a context outside of discussing the GSA?

7 A Yes.

8 Q When was that meeting?

9 A Last year. Towards the end of last school year.

10 Q So before you were looking at restarting the GSA?

11 A Before it became a top priority of mine, yes.

12 Q Have you talked -- or do you recall any conversations  
13 with your principal about ways to spread the word  
14 about the GSA?

15 A Not explicitly about that. But she has mentioned,  
16 you know, we could use word of mouth and social  
17 media.

18 Q Does she ever talk to you about advertising in the  
19 local newspaper?

20 A No.

21 Q Do you ever recall a conversation with her about a  
22 banner that goes across the street?

23 A No.

24 Q Do you recall conversations with her about using  
25 social media?

1 A Yes.

2 Q What do you recall about that?

3 A Just that she has mentioned on a couple occasions  
4 that while we're not allowed to advertise in school,  
5 we can still use social media and word of mouth to  
6 advertise.

7 Q Do you remember a conversation with her about posting  
8 within the community, like the public library?

9 A No.

10 Q Paragraph 21 of your affidavit says, "Given that  
11 PHGSA has only recently resumed operations, it needs  
12 to be able to advertise and get word out to grow its  
13 membership."

14 Have you talked to other nonCorporation-sponsored  
15 clubs about how they advertise and grow their  
16 membership?

17 A No.

18 Q Do you know of other clubs at Pendleton Heights High  
19 School that are nonCorporation-sponsored?

20 A Fellowship of Christian Athletes. Chess Club, if it  
21 still exists. And I believe that is all that I know.

22 Q Okay. And have you reached out to the leadership of  
23 FCA to see how they advertise to grow their  
24 membership?

25 A No.

1 Q And since you mentioned you're not even sure if Chess  
2 Club still exists, I'm assuming you didn't reach out  
3 to anybody there?

4 A No.

5 Q Have you, in fact, hung up announcements at school  
6 for the GSA?

7 A Once.

8 Q Okay. Where did you do that?

9 A Bulletin boards and, I believe, on the wall.

10 Q Where would it be -- when you say "on the wall," is  
11 it --

12 A Of one of the stairwells.

13 Q Okay. I didn't know if there was a common area that  
14 was called "the Wall."

15 A No.

16 Q So bulletin boards in the three stairwells that you  
17 referred to having bulletin boards?

18 A I believe it was -- I was able to put them in two of  
19 the three.

20 Q And then when you say "the wall," was that a  
21 different stairwell?

22 A It was the same stairwell as one of them.

23 Q Is there a reason that went on the wall instead of  
24 the bulletin board?

25 A No.

1 Q What was on the signs that you hung up?

2 A It said -- it was announcing our meeting, and it  
3 said, "A safe space for everyone."

4 Q You're being shown what's marked as Exhibit 9.

5 A Yes.

6 Q We are on page 3 -- what would be page 3. Is that  
7 the sign that you hung up?

8 A It is a copy of it, yes.

9 Q Okay. And do you know how long that sign remained on  
10 the bulletin board?

11 A A day, if even. Well, it was taken down before the  
12 start of the next school day.

13 Q And do you know who took it down?

14 A No.

15 Q Do you know how that was brought to the  
16 administration's attention?

17 A No.

18 Q Did the GSA have a float in the homecoming parade?

19 A We did.

20 Q What can you tell me about the homecoming parade? Is  
21 that an event that's well-attended?

22 A Relatively well, yes.

23 Q Do you know approximately how many organizations were  
24 involved in the homecoming parade?

25 A No.

1 Q Did you have to ask for permission to be in the  
2 homecoming parade?

3 A We did.

4 Q Okay. And was that granted?

5 A It was.

6 Q Is one of your goals for the GSA to actually have  
7 elected officers?

8 A It's been floated.

9 Q That's not something that's been decided on at this  
10 point?

11 A It has not.

12 Q Has the club talked about doing any particular events  
13 or activities?

14 A We've made some mentions.

15 Q What sort of things would you like to do?

16 A Movie night. I would like to take the group up to a  
17 place called "Indiana Youth Group" up in  
18 Indianapolis, which is a LGBTQ support group.

19 Q Anything else that's on your agenda or that you've  
20 floated ideas on?

21 A I know we've floated some other ideas. I cannot  
22 recall what those ideas have been.

23 Q As you sit here today, are there events that you  
24 have, as the GSA, wanted to do at the school that  
25 you've not been allowed to do?

1 A No.

2 Q You mentioned you know that the FCA exists and it is  
3 a nonCorporation-sponsored club. Do you know how  
4 many members it has?

5 A No clue.

6 Q And as you sit here today, you're not aware of any  
7 other nonCorporation-sponsored club other than the  
8 FCA; is that right?

9 A That would be correct.

10 Q Are you aware of an organization called "Bring Change  
11 to Mind"?

12 A Yes.

13 Q What do you know about that?

14 A It is a group that -- whose goals -- whose main focus  
15 is to destigmatize the conversation around mental  
16 health.

17 Q Are you a member of that club?

18 A Yes and no.

19 Q Can you explain that answer?

20 A I attend when I can.

21 Q And do you know of any events or activities that that  
22 group has organized or is planning to do?

23 A No.

24 Q You had attached to your affidavit -- and I apologize  
25 because I just at this moment realized I did not

1 print your attachments. I'm pretty sure we already  
2 have this as an exhibit. I'm going to show you  
3 what's marked as Exhibit 5 --

4 A Okay.

5 Q -- which I believe is an attachment to your  
6 affidavit. Does that look familiar to you?

7 A Yes.

8 Q Looking at the clubs that are listed there, can you  
9 tell me what clubs you are a member of.

10 A None that are listed.

11 Q And then in your affidavit I see you've referred to  
12 Best Buddies, Mat Maids, Outdoor Adventure Club,  
13 SADD, FCA, e-Gaming, Robotics, and Bring Change to  
14 Mind.

15 Of those clubs -- I know you mentioned you  
16 sometimes attend meetings of Bring Change to Mind.  
17 Are you a member or are you involved in any of those  
18 other clubs?

19 A No.

20 Q Do you have any knowledge about the e-Gaming Club?

21 A No.

22 Q Do you have any personal knowledge about the Robotics  
23 Club?

24 A No.

25 Q Has the GSA actually sought recognition from the

1           School Board to be a Corporation-sponsored club?

2   A   I have asked. I never received an e-mail back.

3   Q   Who did you ask?

4   A   I submitted -- the School Board has their own e-mail.

5   Q   What did you submit with that e-mail?

6   A   I just asked for -- if the GSA could become an  
7        official school-sponsored club.

8   Q   Did you tell them what your goals and objectives were  
9        for the club?

10   A   No.

11   Q   Did you tell them how you believe the club would be  
12      related to the school's curriculum?

13   A   No.

14   Q   Did you talk to them about what the club might cost?

15   A   No.

16   Q   Did you put any sort of proposal together other than  
17      just saying could the GSA be a club?

18   A   I did not.

19           MS. ROBERTS: Okay. I don't have any other  
20      questions for you.

21           MR. FALK: We have no questions, and I guess  
22      we'll take signature.

23           AND FURTHER THE DEPONENT SAITH NOT

24

25           

---

REECE AXEL-ADAMS

1 STATE OF INDIANA )  
2 ) SS:  
COUNTY OF HAMILTON )

3  
4 I, Paula A. Morgan, Notary Public in Hamilton  
County, Indiana, do hereby certify that the deponent  
5 was, by me, sworn to tell the truth in the  
aforementioned matter;

6 That the deposition was taken on behalf of the  
Defendants at the time and place heretofore mentioned  
7 with counsel present as noted;

8 That the deposition was taken down by means of  
Stenograph notes, reduced to typewriting under my  
9 direction and is a true record of the testimony given  
by said deponent and was thereafter presented to the  
deponent for signature.

10 I do further certify that I am a disinterested  
person in this cause of action; that I am not a  
11 relative or attorney of any of the parties or  
otherwise interested in the event of this action and  
12 am not in the employ of the attorneys for the  
respective parties.

13  
14 IN WITNESS HEREOF, I have hereunto set my hand  
and affixed my notarial seal this \_\_\_\_\_ day of  
December, 2021.

15  
16  
17  
18 \_\_\_\_\_  
Paula A. Morgan, Notary Public

19 County of Residence: Hamilton

20 My Commission expires: October 9, 2024

21

22

23

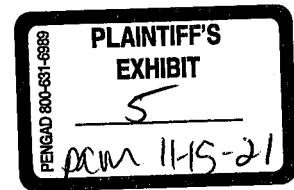
24

25

# PENDLETON HEIGHTS HIGH SCHOOL



## STUDENT HANDBOOK 2021-2022



2. Students will be responsible for the actions of their guests.
3. Grade school and junior high school students will not be admitted to high school dances except when in the company of their parents who may be acting as sponsors.
4. All students attending will follow the school dress code with the exception of special dances.
5. Any student or guest leaving will leave school grounds and not return during the hours of the dance.
6. Sponsors must provide chaperones and auxiliary police in numbers sufficient to control estimated crowds at dances.
7. Slam dancing is not permitted.

## ELECTION OF REPRESENTATIVES AND OFFICERS

### Class Officers

A student may run for class office by obtaining an application form or petition from the Attendance Office. The petition must be signed by fifteen classmates. The candidate will be notified if he/she does not meet the qualifications.

### Qualifications for Class Officers

1. A candidate must have a scholastic average (GPA) of at least C (5.0).
2. The candidate must be enrolled and a full-time student at the time of the election.
3. The election will be held by ballot and the candidate receiving a plurality will be declared the winner.
4. The candidate shall be required to give a speech to the class. This speech shall not be longer than one minute.
5. Three campaign posters per candidate will be permitted. Posters must be on poster board, with only one name appearing on each poster, and approved by the Student Council sponsor.
6. The candidate shall obtain three teacher references including at least one of the class sponsors. If the two teacher references rate the candidate below average, or if the class sponsor rates the candidate below average, the candidate may not run for office.
7. The student must be a full-time student during the entire year of his/her office or shall forfeit the office. The sponsor and steering committee shall have the power to replace the officer in a manner appropriate to the situation.

### Steering Committees

The four class officers are selected in the spring for the following school year. These same officers also assume duties on the Steering Committee. Three additional students are to be appointed jointly by the class sponsors and newly elected president soon after the elections are held. The appointment of three at-large members shall be made by the sponsors who have had the class for the previous school year. Ten (10) students per class will serve as the Class Officer/Steering Committee.

### Student Council

1. Each candidate must have had a scholastic average of at least 5.0 during the preceding year.
2. The student must be a full-time student during the entire year of his/her office or shall forfeit the office. The Student Council sponsor shall have the power to replace the member in an appropriate manner.
3. The election will be held by ballot. The two candidates receiving the most votes will serve a two-year term.
4. Each class will have one elected member for every fifty class members.
5. Three campaign posters per candidate will be permitted. Posters must be on poster board with only one name appearing on each poster and approved by the Student Council sponsor.
6. The Vice-President of each class will serve as a member and act as a liaison between the student council and his/her class steering committee.
7. The officers of Student Council for the following year will be elected in the spring by the current membership before class elections are conducted. The officers will be President, Vice-President, Recording Secretary, Corresponding Secretary, and Treasurer.

## CLUBS AND ORGANIZATIONS

### Academic Club

Academic Club members participate in the Hoosier Heritage Conference academic competitions. These competitions include the Hoosier Spell Bowl and the Academic Super Bowl. Club members work in teams to study and prepare for conference and regional competition. Teams that qualify participate in state competition.

### Art Club

Art Club is open to any student who has completed one year of high school art. The aim of the club is to provide art students with the opportunity to widen their knowledge and interest in the field. The club takes trips to museums, college art departments, special exhibits, and other art related activities.

### **Best Buddies**

Best Buddies is the world's largest organization dedicated to ending the social, physical and economic isolation of the 200 million people with intellectual and developmental disabilities around the world. Best Buddies membership is open to all students.

### **Delta Epsilon Phi (German National Honor Society)**

The purpose is to recognize high achievement in German language studies. To qualify for membership at Pendleton Heights High School students must have completed at least three semesters of German, be a junior or senior, and have a German grade point average of 10.0(A-) throughout their study of German.

### **Deutscher Verein**

German Club's aims are to provide students, school, and community with opportunities to become acquainted with the German language and culture. Membership is open to anyone who has taken German or is currently taking German.

### **FCCLA (Family, Career, and Community Leaders of America)**

Membership is open to any student who has taken or who is currently taking Family and Consumer Science courses. This national vocational organization empowers young men and women to become leaders by addressing personal, family, work, and societal issues through family and consumer science education.

### **FFA - (National FFA Organization)**

Membership is limited to those students regularly enrolled in vocational agriculture and who have a satisfactory program of supervised farm practice. The purpose of the organization is to prepare students for premier leadership, personal growth, and career success through agricultural education.

### **Book Club**

Book Club is a student book discussion group. Students select book titles to read and then meet for a group discussion and snacks. Book titles selected in the past include The DaVinci Code, Beginner's Luck, The Five People You Will Meet in Heaven, and If's Not about the Bike.

### **La Societe Honoraire de Francais**

La Societe Honoraire de Francais is a National French Honor Society. Its purpose is to recognize those individuals in French classes that have achieved and maintained high achievement in their class work. To be eligible for membership, one must complete at least three semesters of French and maintain an A- GPA in French studies. It is also highly recommended that these students maintain a B- overall GPA.

### **Le Cercle Francais**

The aims of the French Club are to provide students, school, and community with the opportunities to become acquainted with the French language and culture. Membership is open to anyone who has taken at least one year of French or who is currently taking French.

### **Los Amigos Espanoles**

The aims of the Spanish Club are to provide students, school, and community with the opportunities to become acquainted with the Spanish language and culture. Membership is open to anyone who has taken at least one year of Spanish or who is currently taking Spanish.

### **Mat Maids**

The basic function of Mat Maids is to support wrestling by attending the meets and serving as host/hostesses at all tournaments. Support is also given to the wrestling team through money-making projects. Many social gatherings are held to provide opportunity for Mat Maids, wrestlers, parents, and friends to come together for fun.

### **Muse**

The Muse is the PHHS literary magazine. Published twice annually, the Muse features student art and writing, which have been selected for publication by a student committee.

### **National Beta Club**

The National Beta Club is a service-leadership club open to all sophomore, junior, and senior high school students who maintain a high level of scholarship). Effective school year 2018-19, all candidates must attain and maintain a 9.0 minimum GPA for

membership consideration. Beta Club members inducted prior to 2018-19 must maintain an 8.0 minimum GPA. The purpose of this organization is to provide opportunities and experiences enabling students to demonstrate the ideals of character, achievement, service, and leadership. All students who meet the academic requirement and who are of good character will be invited to become members. The student accepts membership by the payment of the national and local membership dues.

### **National Honor Society**

The National Honor Society is an organization for juniors and seniors who are selected for membership based on their qualities of scholarship, leadership, service, and character as required by the national constitution. Individuals must have, and must maintain a minimum 10.5 cumulative GPA. Seniors in the Class of 2019 will be considered on the 10-point minimum scale. Effective with the Class of 2020, all candidates must attain and maintain a 10.5 minimum GPA for membership consideration. Members are selected by a faculty council consisting of five faculty members who are selected by the high school principal. Selection is determined by the faculty council based on academic achievement as shown by the GPA, the candidate's individual narrative, and input submitted by faculty and staff.

### **Outdoor Adventure Club**

The purpose of Outdoor Adventure Club is to provide students with opportunities for outdoor activities and to promote physical fitness. Group outings include activities such as camping, horseback riding, canoeing, rock climbing, hiking, spelunking, and skiing.

### **Sociedad Honoraria Hispanica**

Sociedad Honoraria Hispanica (SHH) is a National Spanish Honor Society. Its purpose is to recognize high achievement in Spanish and to promote a continuity of interest in Hispanic studies. To qualify for membership in the Captual Quijano at Pendleton Heights High School, students must have completed at least three semesters of Spanish and must maintain a 10.0 (A-) GPA throughout their study of Spanish.

### **Student Council**

Student Council is a student government organization. A major responsibility of this organization is planning, organizing, and supervising Homecoming activities. Student Council members are elected each spring for the following school year. Each candidate must have a scholastic average of at least 5.0 during the preceding school year. Election is by all-school ballot, and the two candidates receiving the most votes will serve a two-year term. Each class will have one elected member for every fifty class members.

### **SADD**

Students Against Destructive Decisions is a student organization that promotes making good choices and a healthy lifestyle. Students participate in various activities including peer to peer events, trips to the elementary schools to promote healthy choices and various events in the community and around the state.

### **WEEM Radio**

PHHS is proud to be the only Madison County high school to offer broadcast training classes and its own FM radio station, 91.7. Students enroll in radio classes and must earn a radio broadcasting license by passing the FCC exam. Students have the opportunity to be "on the air" in a variety of broadcasting roles.

## **FRATERNITIES, SORORITIES, AND SECRET ORGANIZATIONS**

A secret organization cannot be given recognition in any manner. Students are to refrain from manifesting membership or activity in such organizations. Pendleton Heights High School will sponsor and recognize only those clubs and organizations which are conducive to the proper growth and development of boys and girls. Membership in unrecognized, unapproved or unlawful organizations will prevent that student from participating in any activity as a representative of our school and may lead to the suspension or expulsion of the student.

All clubs and organizations must have a copy of their constitution on file in the principal's office. Membership cannot be subject to race, religion, national origin, or sex.

## **ATHLETIC COUNCIL**

The Athletic Council which is composed of the Superintendent, a local school board representative, the high school principal, the high school athletic director, high school assistant athletic director, the middle school athletic director, and three (3) at-large varsity coaches will formulate and recommend policies for conducting the total athletic program to the Board of School Trustees. This Council also charges the building principals and the athletic directors with the responsibility of carrying out the policies adopted by



Connie Rickert <crickert@smcsc.com>

GSA

6 messages

Bryce Axel-Adams <bryceaxeladams@stu.smcsc.com>  
To: Connie Rickert <crickert@smcsc.com>

Tue, Sep 7, 2021 at 4:22 PM

Mrs. Rickert,

When we last met, you asked how the administration can repair its relationship with the LGBTQ community, at the time I did not have an answer to that question, now I do. Let us promote the GSA, let us hang posters and flyers around as well as announce it during the announcements.

At last week's School Board meeting, Bill Hutton explicitly said that the decision of what can be advertised lies in the hands of the individual principals.

I have attached to this email, the flyer that I wish to put up around the school.

Please do the right thing. We're counting on you.

Reece Axel-Adams  
LGBTQ+ Student Advocate

Untitled drawing.pdf  
34K

Connie Rickert <crickert@smcsc.com>  
To: Mark Hall <mhall@smcsc.com>

Tue, Sep 7, 2021 at 4:26 PM

I am not sure what was said at the last meeting or in what context. I have been under the understanding that taking a neutral stance means no advertising for any outside organization such as GSA, Pendleton Rugby, etc.

Connie Rickert  
(Quoted text hidden)

Untitled drawing.pdf  
34K

Mark Hall <mhall@smcsc.com>  
To: Connie Rickert <crickert@smcsc.com>

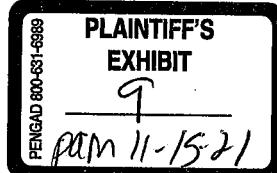
Tue, Sep 7, 2021 at 5:24 PM

I did not see Reece was not at the last school board meeting. Tia Wills asked the board if they could advertise for a GSA. Mr. Hutton deferred that question to me and I told Tia that she needed to work with her Principal regarding the club. The board is not going to get involved in the operation of a student club. The board has adopted a policy regarding this that I have attached. It appears there is a process that needs to be followed according to the policy for the group to form.

Equal access act of 1984 is what I think you are referring to. It is cited at the bottom of the board policy. It says...

Under the Federal Equal Access Act, any school that receives government funding and has at least one other non-curricular club must also allow a GSA. As the law states, "It shall be unlawful for any public secondary school which receives Federal financial assistance...to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting ...on the basis of the religious, political, philosophical, or other content of the speech at such meetings."

The law also says that your school must treat all clubs the same and let them use school resources in the same way. If your school allows other clubs to meet in classrooms, put up posters and organize school events, then they have to allow a GSA to do the same.



You have to treat a GSA or any other non-curricular student clubs the same. If you let one group hang up posters you have to let any group that wants to form do the same. If you allow a GSA to hang up posters but not permit your existing groups, then you could be discriminating against the existing groups. When we had a GSA when I was Principal we gave the group space to meet just like all other groups such as the Fellowship of Christian Athletes and the group that organized meet at the pole event. We did not give them access to the daily announcements or hang-up flyers. We reserved those things for school corporation-sponsored activities. Whatever you do it has to be done consistently for everyone.

At this very least, I am not sure they are going to have time to follow the policy regarding the formation of the club by this Thursday if that is the day they are planning on meeting.

We can talk about this more tomorrow.

Dr. Mark J. Hall  
Superintendent  
South Madison Community School Corporation

[Quoted text hidden]

---

 5730.pdf  
99K

Connie Rickert <crickert@smcsc.com>  
To: Mark Hall <mhall@smcsc.com>

Wed, Sep 8, 2021 at 9:13 AM

Yes, I am aware of all this content.

I meet with Tai Wills mother tomorrow.

Connie Rickert

[Quoted text hidden]

Connie Rickert <crickert@smcsc.com>  
To: Bryce Axel-Adams <bryceaxeladams@stu.smcsc.com>

Wed, Sep 8, 2021 at 1:23 PM

I do not approve any non-PHHS announcements as we have discussed.

Here is the facility usage form. Submit the completed form to me for approval.

Connie Rickert

[Quoted text hidden]

Bryce Axel-Adams <bryceaxeladams@stu.smcsc.com>  
To: Connie Rickert <crickert@smcsc.com>

Wed, Sep 8, 2021 at 2:14 PM

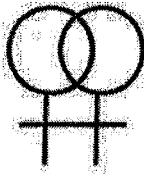
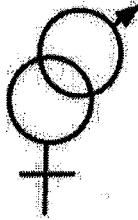
I would encourage you to read this especially the bolded, numbered list, especially number 8.  
I must also admit that I am extremely confused. We have seen throughout the years advertisements for the outdoor adventure club, the tux shop in town, outfitters, and even this year, Bring Change to Mind, and other clubs that I did not list. All of these being either business or noncurricular clubs. How are we different than those aforementioned clubs?  
I have quoted the suggested reading at the end of this email.

-Reece

"8. Imposing restrictions on the GSA that don't apply to other clubs: In addition to allowing GSAs to meet on school grounds, schools must provide GSAs with "equal access to available avenues of communication as provided to other non-curriculum related groups." *Straights & Gays for Equal. v. Osseo Area Sch.-Dist. No. 279*, 540F.3d 911, 914 (8th Cir. 2008). Examples of unequal and unlawful differential treatment include: requiring a faculty advisor for the GSA but not for other groups; placing different requirements on a GSA's posters, leaflets, and announcements than it places on other groups; or not allowing the GSA to be featured in the yearbook along with other clubs. In addition, delaying action on the GSA's application for approval, voting on the approval of a GSA when other school groups are not subject to a vote prior to approval, or in any way requiring a GSA to do more than other noncurricular clubs must to be officially recognized by the school can violate the EAA."

# Pendleton Heights GSA

## A safe place for everyone



Callout Meeting!  
Thursday After School until 3:30 in Mrs.  
Akers Room Room 111!  
Hope to see you there!

PHHS, any staff, SMCSC, nor the School Board endorse the GSA and the display of  
these posters does not constitute an endorsement



Connie Rickert <crickert@smcsc.com>

## Announcement

4 messages

Shelby Akers <sakers@smcsc.com>

Wed, Sep 8, 2021 at 10:02 AM

To: Bill Whitehair <bwhitehair@smcsc.com>, Connie Rickert <crickert@smcsc.com>, Christian Ruggles <cruggles@smcsc.com>

Good Morning!

If the following announcement could be played that would be awesome:

"GSA will be having their callout meeting after school on Thursday September 9th in Room 111. The meeting will last from 2:30-3:30 after school. If you have any questions, please reach out to Ms. Akers"

Have a great day!

**Shelby Akers**

Pendleton Heights High School

Art Department

sakers@smcsc.com

Connie Rickert <crickert@smcsc.com>

Wed, Sep 8, 2021 at 10:58 AM

To: Shelby Akers <sakers@smcsc.com>

Cc: Bill Whitehair <bwhitehair@smcsc.com>, Christian Ruggles <cruggles@smcsc.com>, LANA MOORE <lmoore@smcsc.com>

This is not a PHHS ECA. Announcements are reserved for PHHS ECA's.  
Connie Rickert

[Quoted text hidden]

Connie Rickert <crickert@smcsc.com>

Wed, Sep 8, 2021 at 11:00 AM

To: Shelby Akers <sakers@smcsc.com>

Bcc: LANA MOORE <lmoore@smcsc.com>, Shaun Rose <srose@smcsc.com>, Michael Peo <mpeo@smcsc.com>

This is not a PHHS ECA. Announcements are reserved for PHHS ECA's. This is also why Pendleton Rugby, FCA, and other groups such as Raymond's church group do not have announcements on the PHHS announcements even though members of his church attend PHHS. I have encouraged the GSA to use social media to advertise for their group in the same way Curt Trout advertises for his Rugby group. I have encouraged them to post on the community board at the public library as well.

I am meeting with Tai Willis's mom tomorrow. She was told some misinformation. She states she was told that GSA is not allowed to meet here. That is not true. I allow organizations to use our facilities and for free when an employee is willing to let them use their space, unlock the doors, clean up and lock up. The group needs to fill out a facility usage form. I have not yet seen a facility usage form from GSA signed by a student. I appreciate you opening your door and giving them the facilities for free. GSA is a student-initiated organization similar to FCA (Fellowship of Christian Athletes) and should be student-initiated with only the employee acting in a custodial capacity.

I offered Axel-Adams a facility usage form at the beginning of the year but a form was not taken, nor filled out stating no desire to lead the group. This statement was in the presence of his mother Robin. I have explained to Axel-Adams many times the neutral stance that if I allow one, I allow all. So I allow non-PHHS groups to use our facilities to meet, but I do not allow them to hang up posters or use our announcements. This is not discriminatory. This is consistent.

I encouraged multiple identified GSA at the end of last year to select officers and keep the momentum going so GSA could hit the ground running this year. GSA has been around here since I started 14 years ago, but the student leaders let it dwindle out or it just dwindles out with no responsible leaders to have sustainability in my opinion. Please encourage the leaders selected this year to make every effort at the end of this year to have leaders in place for the 22-23 school year so that the GSA community does not constantly feel they have to start from scratch. I do not like that they do not feel valued as some have expressed. Everyone has value.

I tell you this so you are aware of events and maybe in some custodial role, can encourage student leaders to keep this going from year to year so the support for the GSA has longevity not just in times of controversy.

See board policy to be clear on who can come to meetings and the "custodial capacity".  
<https://mail.google.com/mail/u/0/?lab=rm/inbox/FMfcgzGijjjrGwtsZrXqwbsRhJDfMzst?projector=1&messagePartId=0.1>

Connie Rickert

On Wed, Sep 8, 2021 at 10:02 AM Shelby Akers <sakers@smcsc.com> wrote:

[Quoted text hidden]



Connie Rickert <crickert@smcsc.com>

GSA

1 message

Bryce Axel-Adams <bryceaxeladams@stu.smcsc.com>  
To: Connie Rickert <crickert@smcsc.com>

Wed, Sep 15, 2021 at 11:17 AM

Can you explain to me exactly why the GSA cannot become an official school club?  
As well as exactly why we cannot promote.

Reece Axel-Adams  
LGBTQ+ Student Advocate

**Shaun Rose** <[srose@smcsc.com](mailto:srose@smcsc.com)>  
**To:** Connie Rickert <[crickert@smcsc.com](mailto:crickert@smcsc.com)>

Wed, Sep 8, 2021 at 11:23 AM

The link is dead. It goes nowhere.  
(Quoted text hidden)

Shaun A. Rose  
Assistant Principal  
Pendleton Heights High School  
One Arabian Drive  
Pendleton, IN 46064  
(765)778-2161 ext 6002



Connie Rickert <crickert@smcsc.com>

## GSA-Urgent

2 messages

Bryce Axel-Adams <bryceaxeladams@stu.smcsc.com>

Wed, Sep 15, 2021 at 1:04 PM

To: Connie Rickert <crickert@smcsc.com>, srose@smcsc.com, Michael Peo <mpeo@smcsc.com>

Cc: mhall@smcsc.com

Mrs. Rickert,

I fully realize that at this point in time, we do not like each other. However, personal feelings should not dictate how one executes their job. One of your roles as principal of this school is to "implement the Board's policies and administrative rules and regulations."

With that being said, I would like to officially ask that the GSA be made a school-sponsored club.

In the event that you were to deny my request, I would like to know exactly why you will not allow the GSA an official school club.

I would also like for you to take a look at school board policy 2430 and policy 5751. I have quoted the sections that I believe to be of the most importance.

PO-5730: "A student-initiated group granted permission to meet on school premises shall be provided the same rights and access and shall be subject to the same administrative guidelines that govern the meetings of student organizations sponsored by this Board, except as provided by this policy."

PO-2430: "Students shall be fully informed of the curricular-related and extra-curricular activities available to them."

--  
Reece Axel-Adams  
LGBTQ+ Student Advocate

Connie Rickert <crickert@smcsc.com>

Thu, Sep 16, 2021 at 2:17 PM

To: Bryce Axel-Adams <bryceaxeladams@stu.smcsc.com>

Cc: Shaun Rose <srose@smcsc.com>, Michael Peo <mpeo@smcsc.com>, Mark Hall <mhall@smcsc.com>, raxeladams@comcast.net

Bcc: Samson Hunckler <shunckler@smcsc.com>

Last we spoke you stated you would not speak to me without your mom present. Are both of you available to meet sometime next week?

I have the following times available next week:

Tuesday after 10 AM

Any time Wednesday & Thursday between 7 AM-3:20 PM

Thanks,  
Connie Rickert  
[Quoted text hidden]



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

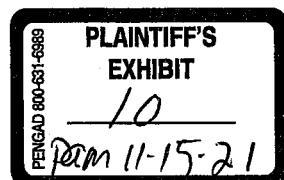
PENDLETON HEIGHTS GAY-STRAIGHT )  
ALLIANCE, an unincorporated association, )  
  )  
  )  
Plaintiff,                         )  
  )  
  )  
v.                                    ) No. 1:21-cv-02480-JRS-TAB  
  )  
  )  
SOUTH MADISON COMMUNITY         )  
SCHOOL CORPORATION, *et al.*,    )  
  )  
Defendants.                         )

**Declaration of Reece Axel-Adams**

Reece Axel-Adams, being duly sworn, says that:

1. I am 18 years old.
2. I attend Pendleton Heights High School, a public school located in Pendleton, Indiana.
3. The school contains approximately 1400 students in grades 9-12.
4. I am currently a senior and I have been in the school since I was a freshman.
5. I am familiar with the various clubs that are present in the school.
6. I am also familiar with the courses offered at the school.
7. The Pendleton Heights High School Student Handbook lists some, but not all the clubs or organizations, which are available to the students. I have attached the relevant excerpt of the Handbook to this declaration.

[1]



8. Some of the groups listed, like the foreign language clubs, relate directly to the foreign languages taught at the school.

9. However, some of the groups listed are not directly related to any courses at the school and do not, to the best of my knowledge lead to academic credit for those participating. These include Best Buddies, Mat Maids, Outdoor Adventure Club, and SADD ("Students Against Destructive Decisions"). These groups meet at the school during non-instructional times.

10. The student groups listed in the Handbook are able to publicize themselves and advertise their existence because they are listed in the Handbook.

11. I also believe that the groups listed in the Handbook may post information about their meetings on bulletin boards at the school. They may also be mentioned on the campus radio station that plays daily announcement through the school. In fact, on October 1, 2021, I heard an announcement for Outdoor Adventure Club during daily announcements.

12. There are also other groups that are not currently listed in the Handbook that are allowed to meet at the school during noninstructional time. These include Fellowship of Christian Athletes, E-gaming (for electronic game enthusiasts), Robotics (for those who are interested in building robots) and Bring Change to Mind (a group that focuses on encouraging dialogue about mental health).

13. Although the groups listed immediately above are not listed in the Handbook, I am aware that at least Fellowship of Christian Athletes, Bring Change to Mind, and E-gaming has been allowed to post information about its meetings on school bulletin boards and be part of the announcements that are broadcast through the school radio station as part of daily announcements.

14. I am aware that in the past there was a Gay-Straight Alliance (GSA) at the high school, although as of the beginning of this school year it had not met for a while.

15. A GSA is designed to allow gay, lesbian, bisexual, transgender, and allied students to meet in order to provide social, emotional, and educational support to each other.

16. This year I spoke to the Principal of Pendleton Heights High School and received permission to restart the Pendleton Height GSA ("PHGSA").

17. The purpose of the PHGSA is to provide social, emotional, and educational support to gay, lesbian, bisexual, transgender, and allied students at Pendleton Heights High School. It also serves to inform the school community as a whole of the existence of gay, lesbian, bisexual, and transgender students and is designed to foster tolerance and acceptance of all students regardless of their sexual orientation.

18. PHGSA has a faculty sponsor and has met in her classroom after instructional time. This has caused no disruption to the school or to the educational environment.

19. Although the Principal has allowed PHGSA to meet, she has indicated that the group is not an "official" club. As such, the group will not be listed in the Handbook and

cannot post information about itself and its meetings in the school. Nor can it advertise and publicize itself on the school's radio station.

20. The Principal has indicated that all these opportunities are being denied to PHGSA because the school needs to remain "neutral" on gay, lesbian, transgender, and related issues.

21. Given that PHGSA has only recently resumed operations, it needs to be able to advertise and get the word out to grow its membership.

22. PHGSA fulfills a vitally important role in providing a place of care and community for a group of students who often lack such support and to provide them with important information at a crucial period of their development.

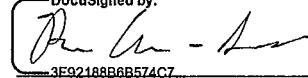
23. The inability of PHGSA to advertise and expose students to its existence and beneficial purposes is causing it to have fewer members than it would have if it was given the same ability as other clubs to advertise and publicize its existence.

24. This inability severely hinders and impedes the basic purpose of PHGSA, to be a place of shelter, support, and education, not just for gay, lesbian, transgender, and non-binary students, but for all students at the high school.

### Verification

I verify under penalty of perjury that the foregoing is true and correct.

Executed on: 10/6/2021 | 10:47 AM EDT

DocuSigned by:  
  
3E92188B6B574C7

Reece Axel-Adams

Prepared by:

Kenneth J. Falk  
ACLU of Indiana  
1031 E. Washington St.  
Indianapolis, IN 46202